

# CIVIL COVER SHEET

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**C09-0504** *RAJ*

## **I. (a) PLAINTIFFS**

DAVID M. WILLIAMS

**(b) County of Residence of First Listed Plaintiff** KING COUNTY, WA  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)  
SIDNEY J. STRONG, WSBA 1912  
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600 UNIVERSITY STREET, SUITE 2100, SEATTLE, WA 98101

## DEFENDANTS

FEDERAL DEPOSIT INSURANCE CORPORATION,  
in its capacity as receiver for Washington Mutual Bank  
County of Residence of First Listed Defendant KING COUNTY, WA  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question  
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity  
(Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff  
(For Diversity Cases Only) and One Box for Defendant)

- | (For Diversity Cases Only)              |  | (For Cases Not Involving Diversity) |   |
|---|--|-------------------------------------|---|
|   | PTF<br><input checked="" type="checkbox"/> 1 | DEF<br><input type="checkbox"/> 1   |   |
| Citizen of This State                   |  |                                     | PTF<br><input type="checkbox"/> 4                             |
|   |  |                                     | DEF<br><input type="checkbox"/> 4                             |
|   |  |                                     | Incorporated or Principal Place of Business In This State     |
| Citizen of Another State                | <input type="checkbox"/> 2                   | <input type="checkbox"/> 2          | PTF<br><input type="checkbox"/> 5                             |
|   |  |                                     | DEF<br><input type="checkbox"/> 5                             |
|   |  |                                     | Incorporated and Principal Place of Business In Another State |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3                   | <input type="checkbox"/> 3          | PTF<br><input type="checkbox"/> 6                             |
|   |  |                                     | DEF<br><input type="checkbox"/> 6                             |
|   |  |                                     | Foreign Nation  |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

| CONTRACTS  |  | TORTS  |  | FORFEITURE/PENALTY   |  | BANKRUPTCY   |  | OTHER STATUTES   |  |   |  |
|--|--|--|--|--|--|--|--|--|--|---|--|
| <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)<br><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contract Product Liability<br><input type="checkbox"/> 196 Franchise |  | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Federal Employers' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input type="checkbox"/> 360 Other Personal Injury |  | <b>PERSONAL INJURY</b><br><input type="checkbox"/> 362 Personal Injury - Med. Malpractice<br><input type="checkbox"/> 365 Personal Injury - Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability<br><b>PERSONAL PROPERTY</b><br><input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage Product Liability |  | <input type="checkbox"/> 610 Agriculture<br><input type="checkbox"/> 620 Other Food & Drug<br><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 630 Liquor Laws<br><input type="checkbox"/> 640 R.R. & Truck<br><input type="checkbox"/> 650 Airline Regs.<br><input type="checkbox"/> 660 Occupational Safety/Health<br><input type="checkbox"/> 690 Other |  | <input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><b>PROPER RIGHTS</b><br><input type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input type="checkbox"/> 840 Trademark   |  | <input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input checked="" type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations<br><input type="checkbox"/> 480 Consumer Credit<br><input type="checkbox"/> 490 Cable/Sat TV<br><input type="checkbox"/> 810 Selective Service<br><input type="checkbox"/> 850 Securities/Commodities/Exchange<br><input type="checkbox"/> 875 Customer Challenge 12 USC 3410<br><input type="checkbox"/> 890 Other Statutory Actions<br><input type="checkbox"/> 891 Agricultural Acts<br><input type="checkbox"/> 892 Economic Stabilization Act<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 894 Energy Allocation Act<br><input type="checkbox"/> 895 Freedom of Information Act<br><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice<br><input type="checkbox"/> 950 Constitutionality of State Statutes |  |
| <b>REAL PROPERTY</b><br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Real Estate Easements<br><input type="checkbox"/> 240 Real Estate Leases<br><input type="checkbox"/> 250 Real Estate Mortgages<br><input type="checkbox"/> 260 Real Estate Sales<br><input type="checkbox"/> 270 Real Estate Trusts<br><input type="checkbox"/> 280 Real Estate Wills   |  | <b>CIVIL RIGHTS</b><br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing  |  | <b>PERSONS &amp; ELECTIONS</b><br><input type="checkbox"/> 510 Motions to Vacate Sentence<br><b>Habeas Corpus:</b>   |  | <input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Mgmt. Relations<br><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act<br><input type="checkbox"/> 740 Labor/Labor Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act   |  | <input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405(g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405(g))<br><b>INDEMNIFICATION</b><br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff Defendant)<br><input type="checkbox"/> 875 Third Party 26 USC 7609 |  | <b>FILED</b><br><b>ENTERED</b><br><b>RECEIVED</b><br><b>APR 2 2009</b><br><b>CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON DEPT</b>  |  |
| 09-CV-00504-CVSH   |  |  |  |  |  |  |  |  |  |   |  |

## V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding    ☐ 2 Removed from State Court    ☐ 3 Remanded from Appellate Court    ☐ 4 Reinstated or Reopened    ☐ 5 Transferred from another district (specify)    ☐ 6 Multidistrict Litigation    ☐ 7 Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity).

Federal Deposit Insurance Act, 12 U.S.C. § 1811 et seq., as amended

**Brief description of cause:**  
**Plaintiff alleges Breach of change in control agreement.**

**VII. REQUESTED IN COMPLAINT:**

- |  |           |  |
|--|-----------|--|
| <input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 | DEMAND \$ | CHECK YES only if demanded in complaint:<br>JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
|--|-----------|--|

**VIII. RELATED CASE(S)  
IF ANY**

(See instructions):

**JUDGE**

DOCKET NUMBER

DATE \_\_\_\_\_

SIGNATURE OF ATTORNEY OF RECORD

**FOR OFFICE USE ONLY**

| RECEIPT # | AMOUNT | APPLYING IFP | JUDGE | MAG. JUDGE |
|-----------|--------|--------------|-------|------------|
|-----------|--------|--------------|-------|------------|

# ORIGINAL